



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:
WC-15J

JUL 01 2014

CERTIFIED MAIL 7004 2510 0001 9556 1950
RETURN RECEIPT REQUESTED

Michael S. Williams
Senior Vice President – North
American Flat – Rolled Operations
United States Steel Corporation
600 Grant Street
Pittsburg, Pennsylvania 15219

Subject: Information Request Pursuant to Section 308 of the Clean Water Act
(33 U.S.C. § 1318) Regarding United States Steel Corporation – Minntac
Mine, Mountain Iron, Minnesota
Docket No. V-W-14-308-23

Dear Mr. Williams:

Protecting water quality is a high priority of the U.S. Environmental Protection Agency. Pollutants discharged from sites to waterways contribute to poor water quality and the impairment of the uses of those waterways.

This letter requests information pursuant to Section 308(a) of the Clean Water Act (the Act), 33 U.S.C. § 1318(a). Section 308 of the Act authorizes the Administrator of the EPA to require those subject to the Act to furnish information, conduct sampling and monitoring, provide entry to the Administrator or authorized representatives, and make reports as may be necessary to carry out the objectives of the Act. The enclosed request details the information United States Steel Corporation must provide to EPA. Please submit your written responses in accordance with the instructions in Section V of the Information Request, which provides response deadlines and the address to which the information should be submitted. All information must be provided in the format requested within the time period spelled out in Section V. Please provide assigned written confirmation, via fax or email attachment (pdf) to Noel Vargas, Environmental Engineer at the address provided in Section V of the Information Request, within 48 hours of receipt of this request, of your intention to comply with this request.

Your response to this request must be accompanied by a certificate that is signed and dated by you or the person who is authorized by you to respond to the request. The certification must state that the response is complete and contains all information and documentation

documentation available to you pursuant to the request. Section V provides a Statement of Certification for this purpose.

Failure to comply with this Information Request may result in enforcement proceedings under Section 309 of the Act, 33 U.S.C. § 1319, which could result in the judicial imposition of civil or criminal penalties or the administrative imposition of civil penalties. In addition, there is potential criminal liability for the falsification of any response of the requested information.

Although the information requested must be submitted to EPA, you are entitled to assert a business confidentiality claim pursuant to the regulations set forth in 40 C.F.R. Part 2, Subpart B. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, specified in Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, EPA may make the information available to the public without further notice to you.

If you have questions regarding this Information Request, please feel free to contact Noel Vargas, of my staff, at (312) 353-3575 or have your legal counsel contact Deborah Carlson, Associate Regional Counsel, at (312) 353-6121.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tinka G. Hyde".

Tinka G. Hyde
Director, Water Division

Enclosures

cc: Jeff Udd, MPCA

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

| | | |
|---------------------------------|---|------------------------------------|
| IN THE MATTER OF: |) | Docket No. V-W-14-308-23 |
| |) | |
| United States Steel Corporation |) | Proceeding under Section 308(a) of |
| Mountain Iron, Minnesota |) | the Clean Water Act, as amended, |
| |) | 33 U.S.C. § 1318(a) |
| Respondent. |) | |

INFORMATION REQUEST

I. STATUTORY AUTHORITY

The U.S. Environmental Protection Agency is issuing this Information Request to United States Steel Corporation (U.S. Steel or you) pursuant to the authority vested in the Administrator of EPA by Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a). The Administrator has delegated this authority to the Regional Administrator of EPA, Region 5, who has re-delegated this authority to the Director of the Water Division, EPA Region 5.

II. INSTRUCTIONS

1. You must respond to this Information Request within 30 calendar days after you receive the request. Submission instructions are in Section V of this Information Request.
2. You must respond separately to each of the requests. Precede each answer with the number of the request to which it corresponds. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the request to which it corresponds.
3. If you do not have documents responsive to a particular request, state in your written response that you do not have responsive documents.
4. You must keep the reports and all records reviewed or generated in the course of responding to this Information Request until EPA informs you in writing that you are no longer required to keep the reports and records, or for three years, whichever is sooner.

III. DEFINITIONS

1. "Facility" shall mean any surface and/or underground mines, processing and preparation plants, tailings basins, transportation facilities, pollution control facilities, and all other facilities and operations associated with the U.S. Steel Minntac Mine near Mountain Iron, MN.

2. "Record" or "records" means any recording of information in tangible form. It includes, but is not limited to, documents, memoranda, reports, letters, maps, graphs, charts, log books, notes, emails, computer files, computer printouts, and computer databases.
3. "You" for purposes of this Information Request refers to U.S. Steel and to any agents, employees, contractors, or other entities that performed work or acted in any way on behalf of, or at the direction of U.S. Steel.

IV. INFORMATION REQUEST

1. Provide the following records submitted as part of the Schedule of Compliance (SOC) agreed to by the Minnesota Pollution Control Agency (MPCA) and U.S. Steel, effective June 9, 2011, for U.S. Steel Minntac mine:
 - a. Description and status of the Line 3 Scrubber Blowdown Treatment System corrective measures and any documents submitted to MPCA about the corrective measures necessary to resolve the alleged violations as required in Part 7, ¶ hh of the SOC;
 - b. The MPCA approved Implementation Plan, dated January 21, 2009, referred to in Part 7, ¶ hh of the SOC;
 - c. The Management Alternatives Report submitted to MPCA pursuant to Part 7, ¶ ii of the SOC;
 - d. The Line 3 Scrubber Blowdown Treatment System Evaluation Report submitted to MPCA pursuant to Part 7, ¶ jj of the SOC;
 - e. Any determinations, reports, memoranda or notifications provided to MPCA and received from MPCA under Part 7, ¶ kk, kk.1, kk.2, kk.2.i, kk.2.ii, and kk.2.iii of the SOC;
 - f. The Dark River Monitoring Plan for establishing flow validation and water chemistry monitoring stations pursuant to Part 7, ¶ oo of the SOC;
 - g. Discharge Monitoring Reports for NPDES/SDS Permit No. MN0057207 from July 2009 through December 2010 and from May 2012 to the present.
 - h. All results from flow validation and water chemistry monitoring pursuant to Part 7, ¶ qq of the SOC;
 - i. All baseline monitoring data obtained by U.S. Steel under Part 7, ¶ rr of the SOC.
 - j. Annual Dark River Monitoring Reports pursuant to Part 7, ¶ ss of the SOC for calendar years 2011-2013;
 - k. The Dark River Feasibility Report provided to MPCA pursuant to Part 7, ¶ vv of the SOC;
 - l. Any applications for modification or reissuance of the NPDES/SDS permit to construct the Dark River Seep Collection and Return System (Dark River SCRS) provided to the MPCA pursuant to Part 7, ¶ ww of the SOC;
 - m. The basis for design and Plans and Specifications for the Dark River Seep Collection and Return System (Dark River SCRS) as referenced in Part 7, ¶ xx of the SOC;
 - n. MPCA approval of the Plans and Specifications for the Dark River SCRS as referenced in Part 7, ¶ xx of the SOC;

- o. Notification to MPCA of Dark River SCRS construction commencement pursuant to Part 7, ¶ zz of the SOC;
 - p. Current construction and operational status of the Dark River SCRS.
 - q. The Dark River Flow Augmentation Report provided to MPCA pursuant to Part 7, ¶ ddd of the SOC;
 - r. All MPCA determinations pursuant to Part 7, ¶¶ fff, ggg, and hhh of the SOC;
 - s. Date of the U.S. Steel meeting with DNR and MPCA to discuss the available Dark River monitoring data and SCRS seepage collection data pursuant to Part 7, ¶ iii of the SOC;
 - t. Any documentation developed in support of the U.S. Steel meeting with DNR and MPCA referenced in paragraph 1(s) above;
 - u. Any MPCA determinations or notifications as a result of the meeting referenced in paragraph 1(s) above;
 - v. The Monitoring Well Installation Plan and schedule for installation submitted to MPCA and MPCA approval of the Monitoring Well Installation Plan pursuant to Part 7, ¶ jjj of the SOC;
 - w. The current status of installation of additional monitoring wells and all notifications and schedules submitted by U.S. Steel to MPCA pursuant to Part 7, ¶ jjj of the SOC;
 - x. The Monitoring Well Installation Report submitted to MPCA pursuant to Part 7, ¶ iii of the SOC;
 - y. All written updates provided by U.S. Steel to MPCA pursuant to Part 7, ¶ mmm of the SOC;
 - z. All determinations, reports, memoranda or notifications provided by U.S. Steel to MPCA and received by U.S. Steel from MPCA under Part 7, ¶¶ nnn and ooo of the SOC;
 - aa. The Alternate Makeup Water Report provided to MPCA pursuant to Part 7, ¶ ppp of the SOC;
 - bb. The Dry Controls Effectiveness Report and any updates submitted to MPCA pursuant to Part 7, ¶ qqq of the SOC; and
 - cc. Any additional records submitted to MPCA under the SOC provisions referenced in paragraph 1(a) – (aa) above.
2. Provide a copy of the permit application submitted by U.S. Steel to the United States Army Corps of Engineers (Corps) as part of the construction of the Dark River SCRS.
 3. Provide all correspondence regarding the permit application referenced in paragraph 2 above, and provide a copy of any permits issued by the Corps for the Dark River SCRS.
 4. Provide copies of U.S. Steel Minntac NPDES/SDS Permit No. MN0057207 (Tailings Basin) Annual Reports from 2009 – 2013, including all attachments.
 5. Provide a detailed description of U.S. Steel Minntac facility's wet scrubbing system (namely Lines 3, 4, 5, 6, and 7), including:
 - a. Average flows and composition of inlet gas;
 - b. Average flows and composition of inlet water and origin;

- c. Average flows and composition of outlet gas;
 - d. Average flows and composition of outlet slurry effluent (blowdown) and disposal procedures; and
 - e. How sulfates are generated on those Lines and which Line(s) generate the most sulfate.
6. Within 60 days of receiving this Information Request, U.S. Steel must collect two rounds of representative samples from the Sandy River SCRS (located at the east end of the tailings basin) and analyze them for, at a minimum, the parameters listed in items 6(a) – (c) below. U.S. Steel must allow at least 14 days between the two rounds of sampling. U.S. Steel must not conduct such sampling within 72 hours following a rainfall event exceeding one-half inch of precipitation as measured by on-site monitoring equipment. A laboratory certified by EPA must conduct the analyses of the samples. Sample preservation and test procedures for the analysis must conform to 40 C.F.R. Part 136. U.S. Steel must report results of the sampling analysis to EPA pursuant to this Information Request within 30 days of collection of the sample.
- a. Ammonia, temperature (in degrees Celsius or Fahrenheit), nitrate-nitrite (as nitrogen), total organic nitrogen, total phosphorous, chloride, pH (in standard units), total suspended solids, specific conductance (in $\mu\text{mhos/cm}$), bromide, fluoride, alkalinity, total dissolved solids, bicarbonate, turbidity (in NTU), hardness, sulfate, sulfide (as sulfur), all in mg/L unless otherwise specified;
 - b. Aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, cobalt, copper, iron, lead, lithium, magnesium, manganese, molybdenum, nickel, potassium, selenium, silver, sodium, strontium, thallium, tin, titanium, vanadium, zinc (all in total form); and
 - c. Total mercury (in ng/L) using EPA Methods 1669 and 1631.
7. Provide information on the volume of water, expressed in average gallons per day that is pumped back to the tailing basin through the Sandy River SCRS. Include a description of how the flow rate was determined.
8. Provide documentation of any bypass, spill, upset, or permit violation as required by Chapter 7, # 6.3 of U.S. Steel Minntac NPDES/SDS Permit No. MN0057207 from June 2009 to present.
9. Provide a copy of the Groundwater Sulfate Reduction Plan submitted by U.S. Steel Corporation to MPCA pursuant to the Schedule of Compliance Amendment Number 1 between U.S. Steel Corporation and MPCA dated February 12, 2013.
10. Provide monitoring results from April 2012 to the present from monitoring well MW12 as referenced in the February 12, 2013 Schedule of Compliance Amendment Number 1.

V. SUBMITTALS

1. Except as specified in paragraph 6 above, please submit your response to this Information Request within 30 days of your receipt of this Information Request to:

Water Enforcement and Compliance Assurance Branch (WC-15J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604
Attention: Noel Vargas

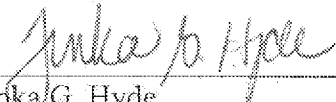
2. You must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that this response and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system, or those person(s) directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

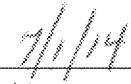
3. If you find at any time after submitting information to EPA that any portion of the submittal is false or incorrect, you must notify EPA immediately. Knowing submittal of false information to EPA in response to this Information Request may subject you to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.
4. You may not withhold information because you claim it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Information Request, as provided in 40 C.F.R. § 2.302(a)(2). Please be advised that EPA may disclose all responses to this information request to one or more private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this information request. If you are submitting information which you assert is entitled to confidential treatment, you may comment on this potential disclosure to authorized representatives when you submit your response to this information request. The regulations provide that a person may assert a business confidentiality claim covering part or all of the information furnished to EPA when that person submits the information. The manner of asserting such claims is specified in 40 C.F.R. § 2.203(b). According to 40 C.F.R. § 122.7, effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications is not entitled to confidential treatment. Information

subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If you do not assert a claim of business confidentiality when you submit the information, EPA may make the information available to the public without further notice.

5. This Information Request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 – 3520, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.
6. EPA may use the information submitted in response to this Information Request in an administrative, civil or criminal action.
7. Neither the issuance of this Information Request by EPA nor your compliance with this Information Request relieves you of liability for any penalty, fine, remedy or sanction authorized to be imposed pursuant to Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g), including but not limited to those related to any violations addressed by this Information Request. EPA specifically reserves the right to seek any of the remedies specified in Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g).
8. There can be significant civil or criminal penalties for failing to adequately respond to requests for information issued under the Section 308(a) of the CWA, 33 U.S.C. § 1318(a).
9. Please contact Noel Vargas of my staff by telephone at (312) 353-3575, or via email at vargas.noel@epa.gov, if you have any questions about this Information Request.



Tinka G. Hyde
Director, Water Division
U.S. Environmental Protection Agency, Region 5



Date